

**ORDINANCE G-2016-23**

**INTRODUCING: Mosby & McGinn  
COMMITTEE: A.S.D.**

**AN ORDINANCE ESTABLISHING THE EVANSVILLE LAND BANK**

WHEREAS, the Common Council recognizes that there exists in the City of Evansville and Vanderburgh County a substantial number of tax delinquent and other properties which are nonrevenue generating, vacant, or dilapidated; and

WHEREAS, these properties contribute to the blight and deterioration of the community and constitute an economic burden to the community; and

WHEREAS, the City currently undertakes a project to address distressed property through Evansville Brownfields Corporation, an Indiana non-profit corporation currently functioning as a land bank to return such distressed property to a useful and contributing status; and

WHEREAS, the 119th Indiana General Assembly, recognizing the magnitude of the problem, passed Senate Enrolled Act No. 232 adding Indiana Code 36-7-38 as a new chapter to the Indiana Code for the purpose of allowing the establishment of a local land bank authority; and

WHEREAS, the land banks are designed to help communities acquire tax delinquent or other properties which are nonrevenue generating, vacant, or dilapidated in order to foster the public purpose of returning such property to an effective utilization status in order to provide housing, new industry, jobs for community citizens, and revitalization and stabilization of neighborhoods; and

WHEREAS, the Council desires to address distressed property through a local land bank authority contemplated by Senate Enrolled Act No. 232 in lieu of Evansville Brownfields Corporation, which Indiana non-profit corporation is currently functioning as a land bank until such time as the land bank is established hereunder; and

WHEREAS, the Council agrees that the establishment of such a land bank would be beneficial to the people and government of the City of Evansville.

NOW, THEREFORE, BE IT ORDAINED, by the Common Council of the City of Evansville as follows:

Section 1. Addition of Section 2.50.060 of the Code. Section 2.50.060 of the Evansville Municipal Code is hereby created as follows:

**"2.50.060 Evansville Land Bank.**

**FILED**

**JUL 06 2016**

(A) Pursuant to IC 36-7-38, the Mayor's office is hereby directed to organize a nonprofit corporation under IC 23-17, known as "Evansville Land Bank Corp." as an independent instrumentality exercising essential governmental functions.

(B) The primary purpose of the land bank shall be to acquire, manage, maintain, protect, rent, lease, repair, alter, sell, trade, exchange, or otherwise dispose of distressed real property acquired through tax foreclosure or other methods as provided in IC 36-7-38 for residential real property located within the City and any other governmental entity with which the land bank has agreed or contracted to perform services.

(C) The land bank shall have nine (9) members on its board of directors comprised of the following:

(1) Three (3) directors, who must be residents of the City, shall be appointed by the Mayor. The initial directors appointed hereunder shall serve a term equal to the remainder of the calendar year in which the land bank is established plus renewable terms equal to one (1) calendar year.

(2) Three (3) directors, who must be residents of the City, shall be appointed by the Council. The initial directors appointed hereunder shall serve a term equal to the remainder of the calendar year in which the land bank is established plus renewable terms equal to two (2) calendar years.

(3) One (1) director, who must be a resident of the City, shall be appointed by the Vanderburgh County Treasurer. The initial director appointed hereunder shall serve a term equal to the remainder of the calendar year in which the land bank is established plus renewable terms equal to three (3) calendar years.

(4) The directors appointed pursuant to EMC 2.50.060(C)(1) through EMC 2.50.060(C)(3) above shall appoint two (2) additional directors, who shall not be required to be residents of the City. The initial directors appointed hereunder shall serve a term equal to the remainder of the calendar year in which the land bank is established plus renewable terms equal to three (3) calendar years.

(D) The land bank's goals and priorities concerning the disposition of properties must include the sale or transfer of properties:

(1) for redevelopment that will act as a catalyst for further development;

(2) that support a comprehensive development plan or strategic plan for neighborhood revitalization;

(3) that reduce blight in the community;

(4) that revitalize or stabilize neighborhoods;

(5) that will be returned to productive, tax paying status;

(6) that will be returned to productive uses, including development of side lots, green spaces, and gardens;

(7) that are available for immediate ownership or occupancy without a need for substantial rehabilitation;

(8) that will be used for affordable housing; or

(9) that will generate operating support for the functions of the land bank.

(E) The land bank shall do the following:

(1) Maintain an inventory of real property held by the land bank.

(2) Develop policies, guidelines, and procedures for the acquisition, redevelopment, and disposition of property by and from the land bank. The

policies, guidelines, and procedures developed under this subdivision must be formulated in plain language with the objective of being clearly understood.

(3) Make the information described in subsections (1) and (2) above available for inspection at the land bank's offices and on Evansville Land Bank Corp.'s web site.

(F) The land bank shall be subject to IC 5-14-1.5 (open door law) and IC 5-14-3 (public records law).


(G) The land bank may directly employ, or otherwise contract with, any staff deemed necessary to carry out its duties and responsibilities. Such staff and contractors shall be paid directly from the funds of the land bank."

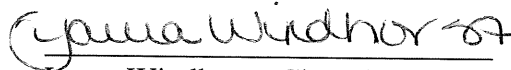
Section 2.     Severability. If any provision of this Ordinance is found to be invalid, the remaining provisions of this Ordinance shall not be affected by such a determination. These other provisions of this Ordinance shall remain in full force and effect without the invalid provision.

Section 3.     Effective Date. This ordinance shall be in full force and effect from and after its passage by the Common Council.

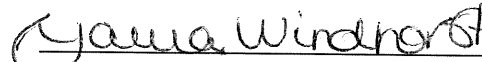
PASSED BY the Common Council of the City of Evansville, Indiana, on the 25 day of July, 2016, and on said day signed by the President of the Common Council and attested by the City Clerk.

ATTEST:


  
Missy Mosby  
President of the Common Council

  
Laura Windhorst, City Clerk  
City of Evansville, Indiana

Presented to me, the undersigned, City Clerk of the City of Evansville, Indiana, and to the Mayor of said City, the 29 day of July, 2016, at 1 o'clock p.m. for his consideration and action thereon.

  
Laura Windhorst, City Clerk  
City of Evansville, Indiana

Having examined the foregoing ordinance, I do now, as Mayor of the City of Evansville, Indiana, approve said ordinance and return the same to the City Clerk this 29<sup>th</sup> day of July, 2016, at 2:00 o'clock p.m.

  
Lloyd Winnecke, Mayor  
City of Evansville, Indiana